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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

NEW JERSEY TRANSIT RAIL
OPERATIONS, INC.,

Plaintiff,

v.

BROTHERHOOD OF
LOCOMOTIVE ENGINEERS AND
TRAINMEN

Defendants.

Civil Action No. 2:24-cv-11102

ORDER TO SHOW CAUSE

Upon Plaintiff's New Jersey Transit Rail Operations, Inc. ("NJTRO" or "Carrier"), Motion for a Temporary Restraining Order and Preliminary Injunction, Complaint for a Temporary Restraining Order and Preliminary Injunction under the Railway Labor Act ("RLA"), 45 U.S.C. § 151 *et seq.*, Declaration of Patrick McGreal in support of the Complaint along with attached exhibits, and the accompanying Memorandum of Law, and upon notice to Defendant Brotherhood of Locomotive Engineers and Trainmen ("BLET" or "Union"), and good and sufficient reason appearing to me therefor, it is hereby:

ORDERED that BLET show cause before this Court at a hearing in Courtroom _____, United States Courthouse, or their attorneys appear before this Court, in Room ____ of the Martin Luther King Building & U.S. Courthouse, located at 50 Walnut Street, Newark, NJ on the _____ day of _____, 2024, at _____, or as soon thereafter as counsel can

be heard, and then and there show cause why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure, during the pendency of this action:

- a. Enjoining SBA 940, the Union, and anyone acting in concert with the Union, from proceeding with the arbitration before SBA 940, which is currently scheduled for January 9, 2025, in the dispute with Plaintiff over the 10.4% salary differential during the pendency of PEB 252 and until either: (a) NJTRO and BLET resolve the major dispute through a voluntary agreement for a successor CBA, or (b) 60 days after PEB 252 issues its Report to the President, i.e., March 21, 2025, whichever comes sooner; and
- b. Enjoining the Union, and anyone acting in concert with the Union, from seeking to change the status quo, among other things, implementing or seeking to implement new terms into the Parties CBA without first engaging in the negotiation process as required by the RLA.

ORDERED that Defendant's responsive papers to the motion for a preliminary injunction be filed by _____, 2024, and Plaintiffs' reply papers shall be filed by _____, 2024;

ORDERED that, sufficient reason having been shown therefor, pending the hearing of Plaintiff's application for a preliminary injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure, SBA 940, the Defendant Union, and anyone acting in concert with the Defendant Union is temporarily restrained and enjoined from:

- a. Proceeding with the arbitration before SBA 940 – which is currently scheduled for January 9, 2025 – in the dispute with Plaintiff over the 10.4% salary differential, which dispute is part of the dispute between the Parties over the terms of a successor CBA that are subject to the RLA's mandated dispute resolution procedures set forth in 45 U.S.C. § 159a; and

ORDERED that Plaintiffs serve a copy of this Order and supporting papers, along with the Summons and Complaint (if not already served), upon Defendant or obtain waiver of service no later than _____, which shall constitute due and sufficient service and notice thereof.

Dated: _____, 2024
Newark, New Jersey

UNITED STATES DISTRICT JUDGE